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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ZEICHER

Appln. No.: 08/807,500

Filed: February 27, 1997



Group Art Unit: 1635

Examiner: S. McGarry

FOR: NUCLEOTIDE SEQUENCE FOR TREATING
CANCER AND INFECTION

* * * * *

September 17, 2001

PETITION TO REVIVE APPLICATION UNDER 37 C.F.R. § 1.137(b)

Hon. Commissioner of Patents
Washington, DC 20231

RECEIVED

SEP 19 2001

Sir:

OFFICE OF PETITIONS

A Notice of Abandonment mailed April 17, 2001 indicates that this Application is abandoned for failure to respond to the final Office Action mailed February 3, 2000.

Applicant timely filed a Request for Continued Examination (RCE) on April 24, 2001 in an effort to keep the application pending. However, due to an unforeseen problem in communication, a proper response addressing the issues raised in the outstanding Office Action did not accompany the RCE. This response was intended to be compliant with the Rules, and, thus, the Application was unintentionally abandoned.

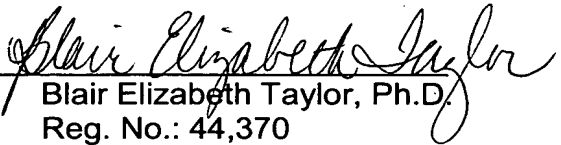
Applicant respectfully requests that the Notice of Abandonment be withdrawn. Pursuant to 37 C.F.R. § 1.137(b)(1), a copy of the required reply, together with the petition fee under § 1.137(b)(2), are enclosed herewith.

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Applicant respectfully requests that the application be forwarded to the appropriate art unit for further examination on the merits.

Should the Patent Office find the enclosed fee to be deficient, the Commissioner is hereby authorized to charge the deficiency to our Deposit Account No. 03-3975 under Order No. 70401/236007.

Respectfully submitted,
PILLSBURY WINTHROP LLP

By: 
Blair Elizabeth Taylor, Ph.D.
Reg. No.: 44,370
Tel. No.: (703) 905-2198
Fax No.: (703) 905-2500

BET/lmr

1600 Tysons Boulevard
McLean, VA 22102
(703) 905-2000

Enclosure: Response, Copy of Notice of Improper Request for RCE